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DEC 14 2004

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

IN THE MATTER OF APPLICATION FOR
ADMISSION TO PRACTICE IN THIS COURT

4 : C v

04-2688

PETITION

I, Alex J. Luchenitser, hereby petition the United States District Court for the Middle District of Pennsylvania to admit me to practice before that Court. In support of my petition, I state as follows:

My office address is: Americans United
518 C Street NE
Washington, DC 20002

Office Telephone: 202-466-3234

I was admitted to practice before the Courts listed below on the date shown after the name of each Court, and I am currently a member in good standing of all those Courts.

California (June 22, 1995); District of Columbia (August 6, 2001); 3d Circuit
(November 8, 2002); 7th Circuit (September 27, 2002); 9th Circuit (November 21,
1997); 11th Circuit (September 3, 2002); D.C. Circuit (November 18, 2004);
Northern District Court of California (August 18, 1997)
My attorney identification number is: 473393 (D.C. Bar)

FOR COURT USE ONLY

____ GENERAL ADMISSION:

BEFORE JUDGE _____ Date: _____
____ U.S. DISTRICT JUDGE ____ U.S. MAGISTRATE JUDGE

____ SPECIAL ADMISSION:

GRANTED _____ Date: _____
____ U.S. DISTRICT JUDGE ____ U.S. MAGISTRATE JUDGE

Please Answer the Following Questions:

All occasions, if any, on which I have been convicted of a crime (subsequent to my becoming an attorney), censured, suspended, disciplined or disbarred by any court are set forth as follows: (State the facts and circumstances connected with each; if none, state "none".)

None

All occasions, if any, on which I have been held in contempt of court are set forth as follows: (State the nature and final disposition of contempt; if none, state "none".)

I do _____, do not X, have any disciplinary action, contempt or other proceedings involving me pending before any court. (Check the appropriate space.) If there are pending proceedings, please explain: _____

I am seeking:

_____ General Admission under Local Rule LR 83.8.1

X Special Admission (specify by a check which rule) under

Local Rules LR 83.9.1 _____, LR 83.9.2 _____, or LR 83.9.3 X

If seeking special admission under Local Rules LR 83.9.1, LR 83.9.2, or LR 83.9.3, the basis for my admission under the designated rule is as follows: Member of highest Court of

District of Columbia.

NAME THE PARTY YOU REPRESENT:

Tammy Kitzmiller

If special admission is requested for a particular case, please list case number and caption:

Case # _____

Caption # Kitzmiller v. Dover Area School District

I understand that:

- 1) If seeking admission under Section LR 83.9.1 or LR 83.9.2, I must submit a letter from a superior stating the agency with which I am employed and the duties performed which qualify me for admission under those sections.
- 2) If petitioning for admission, only in a particular case, under Rule LR 83.9.3, I need no sponsor's certificate. Any attorney specially admitted under LR 83.9.3, shall, in each proceeding in which he or she appears, have associate counsel who is generally admitted under Local Rule 83.8 to practice in this court, whose appearance shall also be entered of record and upon whom all pleadings, motions, notices, and other papers may be served in accordance with any statute or applicable rule. The attendance of any such associate counsel upon the hearing of any motion or the taking of any testimony shall be sufficient appearance for the party or parties represented by such associate counsel. Either the specially admitted attorney or associate counsel must be fully prepared to participate in any hearings, arguments, conferences and trials. (See LR 83.12)

If special admission is requested for a particular case, please list the name, address, telephone number and bar identification number of associate counsel to be entered of record in the case:

Paula K. Knudsen (PA87607)

American Civil Liberties Foundation of Pennsylvania

105 N. Front Street, Suite 225 Harrisburg, PA 17101

- 3) If seeking regular admission under Rule LR 83.8.1, I must have a sponsor who is a member in good standing of the Bar of this Court present to move for my admission and I must submit the sponsor's certificate with my petition.


PETITIONER

473393 (D.C. Bar)

(Bar Identification Number)

December 13, 2004

(Date)

NAME OF PETITIONER Alex J. Luchenitser

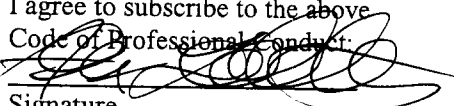
UNITED STATES DISTRICT COURT
FOR THE
MIDDLE DISTRICT OF PENNSYLVANIA

CODE OF PROFESSIONAL CONDUCT

As a member of the Bar of the United States District Court for the Middle District of Pennsylvania, I will strive for the following professional ideal:

1. The rule of law will govern my entire conduct. I will not violate the law or place myself above the law.
2. I will treat with civility and respect the lawyers, clients, opposing parties, the court and all the officials with whom I work. Professional courtesy is compatible with vigorous advocacy and zealous representation. Even though antagonism may be expected by my client, it is not part of my duty to my client.
3. I will respect other lawyers' schedules as my own, and will seek agreement on meetings, depositions, hearings, and trial dates. A reasonable request for a scheduling accommodation should never be unreasonably refused.
4. Communications are life lines. I will keep the lines open. Telephone calls and correspondence are a two-way channel; I will respond to them promptly.
5. I will be punctual in appointments, communications and in honoring scheduled appearances. Neglect and tardiness are demeaning to others and to the judicial system.
6. I will earnestly attempt to resolve differences through negotiation, expeditiously and without needless expense.
7. Procedural rules are necessary to judicial order and decorum. I will be mindful that pleadings, discovery processes and motions cost time and money. I will not use them heedlessly. If an adversary is entitled to something, I will provide it without unnecessary formalities.
8. I will not engage in conduct that brings disorder or disruption to the courtroom. I will advise my client and witnesses appearing in court of the proper conduct expected and required there and, to the best of my ability, prevent my client and witnesses from creating disorder or disruption.
9. Before dates for hearings or trials are set, or if that is not feasible immediately after such date has been set, I will attempt to verify the availability of necessary participants and witnesses so I can promptly notify the court of any likely problems.

I agree to subscribe to the above
Code of Professional Conduct:


Signature

Tue Dec 14 11:31:31 2004

UNITED STATES DISTRICT COURT

SCRANTON, PA

Receipt No. 111 142343
Cashier jill

Check Number: 3222

DO Code Div No
4667 1

Sub Acct	Type	Tender	Amount
0:6855XX	C	2	25.00
1:6855XX	C	2	25.00
2:6855XX	C	2	25.00

Total Amount \$ 75.00

SPADM ALEX J. LUCHENITZER

RICHARD KATSKEE 3608 VAN NESS ST.,
N.W. WASHINGTON, DC 20008

cn